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TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Operations

[1953 C. C. C. Grain Price Support Bulletin 1, Supp. 1, Amdt. 4, Wheat]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART—1953-CROP WHEAT LOAN AND PURCHASE AGREEMENT PROGRAM

SETTLEMENT

The regulations issued by Commodity Credit Corporation and the Production and Marketing Administration published in 18 F. R. 2733, 3979, 4153, 4489, 5131, and containing the specific requirements for the 1953-Crop Wheat Price Support Program are hereby amended by the addition of a paragraph to the provisions on warehouse storage loans and on purchase agreements providing for refunding or crediting to the producer prepaid receiving or receiving and loading out charges.

1. Section 601.110 (b) (1) is amended to read as follows:

§ 601.110 *Settlement.* * * *

(b) *Warehouse-storage loans.* (1) (i) In the case of warehouse receipts issued on a warehouse approved under the Uniform Grain Storage Agreement, if the warehouse loan is not redeemed and the warehouse receipt or the accompanying supplemental certificate contains a statement in substantially the following form "Full storage charges, not including receiving charges, paid through April 30, 1954, $_____," a refund in the amount of the smaller of (*a*) the storage charges prepaid by the producer, or (*b*) the amount of the storage charges deducted at the time the loan was completed, will be made to the producer by the PMA county office.

(ii) In case a warehouseman charges the producer for the receiving or the receiving and loading out charges on wheat under loan, the producer shall, upon delivery of the wheat to CCC, be reimbursed for such prepaid charges in an amount not to exceed the charges authorized under the Uniform Grain Storage Agreement, provided the producer furnishes to the county PMA committee written evidence signed by the warehouseman that such charges have been paid.

2. Section 601.110 (c) (1) is amended to read as follows:

(c) *Purchase agreements.* (1) (i) Wheat delivered under purchase agreement must meet the requirements for eligible wheat as set forth in § 601.103. The purchase rate per bushel of eligible wheat shall be the support rate established for the approved point of delivery subject to deduction of warehouse charges in accordance with § 601.109, except as provided in subparagraph (2) of this paragraph.

(ii) In the case of warehouse receipts issued on a warehouse approved under the Uniform Grain Storage Agreement, if the warehouse receipt or the accompanying supplemental certificate representing wheat stored in the warehouse contains a statement in substantially the following form, "Full storage charges, not including receiving charges, paid through April 30, 1954, $_____," the producer shall be given credit for the smaller of (*a*) the storage charges prepaid by the producer, or (*b*) the amount of the warehouse storage charges determined according to the time of deposit as outlined in § 601.109, at the time the settlement value of the commodity delivered is determined.

(iii) In case a warehouseman charges the producer for the receiving or the receiving and loading out charges on wheat under purchase agreement the producer shall, upon delivery of the wheat to CCC, be credited for such prepaid charges in an amount not to exceed the charges authorized under the Uniform Grain Storage Agreement, provided the producer furnishes to the county PMA committee written evidence signed by the warehouseman, that such charges have been paid.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup. 714b. Interprets or applies sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat., 1051, 1054,

(Continued on next page)

CONTENTS

FEDERAL REGISTER

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CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

15 U. S. C. Sup. 714c, 7 U. S. C. Sup. 1441, 1421)

Issued this 4th day of September 1953.

HOWARD H. GORDON,
Executive Vice President,
Commodity Credit Corporation.

Approved:

JOHN H. DAVIS,
President,
Commodity Credit Corporation.

[F. R. Doc. 53-7925; Filed, Sept. 10, 1953; 8:56 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 17]

PART 600—DESIGNATION OF CIVIL AIRWAYS

ALTERATIONS

The civil airway alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted to become effective when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest and therefore is not required.

Part 600 is amended as follows:

1. Section 600.15 *Green civil airway No. 5 (Los Angeles, Calif., to Boston, Mass.)* is amended between "Fort Worth; Tex., radio range station;" and "Memphis, Tenn., radio range station;" to read: "Fort Worth, Tex., radio range station; Sulphur Springs, Tex., non-directional radio beacon; Texarkana, Ark., radio range station; Pine Bluff, Ark., non-directional radio beacon; Memphis, Tenn., radio range station;"

2. Section 600.267 is amended to read:

§ 600.267 *Red civil airway No. 67 (Crestview, Fla., to Atlanta, Ga.)* From Crestview, Fla., radio range station via the Dothan, Ala., radio range station; the intersection of the northwest course of the Dothan, Ala., radio range and the southwest course of the Columbus, Ga.,

radio range; Columbus, Ga., radio range station; the intersection of the northeast course of the Columbus, Ga., radio range and the south course of the Campbellton, Ga., radio range to the intersection of the south course of the Campbellton, Ga., radio range and the southwest course of the Atlanta, Ga., radio range—excluding the portions above 19,000 feet which lie within Tyndall danger area (D-336) between sunset and sunrise, and excluding the portion which overlaps Fort Benning danger area (D-129)

3. Section 600.284 is amended to read:

§ 600.284 *Red civil airway No. 84 (Meridian, Miss., to Columbus, Ga.)* From the Meridian, Miss., radio range station via the Maxwell AFB, Ala., radio range station; the intersection of the east course of the Maxwell AFB, Ala., radio range and the northwest course of the Columbus, Ga., radio range to the Columbus, Ga., radio range station, excluding the portion which overlaps Fort Benning danger area (D-129)

4. Section 600.6007 *VOR civil airway No. 7 (Miami, Fla., to Green Bay, Wis.)* is amended by deleting "Tallahassee, Fla., omnirange station, including a west alternate, to the Marianna, Fla., omnirange station." and by adding the following in lieu thereof: "Tallahassee, Fla., omnirange station, including a west alternate, to the Marianna, Fla., omnirange station, excluding that portion above 19,000 feet which lies within the Tyndall AFB danger area (D-336) between sunset and sunrise."

5. Section 600.6022 *VOR Civil airway No. 22 (New Orleans, La., to Tallahassee, Fla.)* is amended by substituting "(D-336)" for "(Area II)"

6. Section 600.6056 *VOR civil airway No. 56 (Tallahassee, Fla., to Florence, S. C.)* is amended by changing the first portion to read: "From the Tallahassee, Fla., omnirange station via the Albany, Ga., omnirange station to the Macon, Ga., omnirange station, excluding that portion above 19,000 feet which lies within the Tyndall AFB danger area (D-336) between sunset and sunrise."

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 302, 52 Stat. 985; as amended; 49 U. S. C. 452)

This amendment shall become effective 0001 e. s. t. September 15, 1953.

[SEAL] F. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 53-7894; Filed, Sept. 10, 1953; 8:45 a. m.]

[Amdt. 17]

PART 601—DESIGNATION OF CONTROL AREAS CONTROL ZONES, AND REPORTING POINTS

ALTERATIONS

The control area and reporting point alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted to become effective when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest and therefore is not required.

Part 601 is amended as follows:

1. Section 601.267 is amended by changing the caption to read: *Red civil airway No. 67 control areas (Crestview, Fla., to Atlanta, Ga.).*

2. Section 601.284 is amended by changing the caption to read: *Red civil airway No. 84 control areas (Meridian, Miss., to Columbus, Ga.).*

3. Section 601.1180 *Control area extension (San Antonio, Tex.)* is amended by adding the following to present control area extension: "and that airspace northeast of the San Antonio radio range station bounded on the northwest by the Austin, Tex., control area extension, on the northeast by Red civil airway No. 32 and on the south by a straight line between points located at lat. 29°43'25" long. 97°25'30" and lat. 29°52'40", long. 97°10'25" "

4. Section 601.4267 is amended by changing the caption to read: *Red civil airway No. 67 (Crestview, Fla., to Atlanta, Ga.).*

5. Section 601.4284 is amended by changing the caption to read: *Red civil airway No. 84 (Meridian, Miss., to Columbus, Ga.)*

6. Section 601.7001 *Domestic VOR reporting points* is amended by changing the Millbury intersection to read:

Millbury intersection: the intersection of the Hartford, Conn., omnirange 045° True and the Gardner, Mass., omnirange 152° True radials.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective 0001 e. s. t. September 15, 1953.

[SEAL] F. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 53-7895; Filed, Sept. 10, 1953; 8:45 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 5758]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

AMERICAN TACK CO, INC., ET AL.

Subpart—*Neglecting, unfairly or deceptively, to make material disclosure:* § 3.1860 *Imported product or parts as domestic.* In connection with the offering for sale, sale or distribution, in commerce, of thumbtacks, or other similar products, offering for sale or selling any such products of foreign origin without clearly and conspicuously disclosing on the packages or other containers in which they are sold to the purchasing public, the country of origin of such products; prohibited.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, American Tack Company, Inc. et al., Suffern, N. Y., Docket 5758, August 21, 1953]

In the Matter of American Tack Company, Inc., a Corporation, and Michael Markman, Edward H. Weinberg, Molly Markman and James L. Weinberg, Individually, and as Officers and Directors of American Tack Company, Inc., Markwin Industries, Inc., a Corporation, and Harold M. Weinberg, Michael Markman, Anna Weinberg and Molly Markman, Individually, and as Officers and Directors of Markwin Industries, Inc., Anna Weinberg, James M. Weinberg, Edward H. Weinberg and Molly Markman, Copartners Trading as Tackanail Company.

Pursuant to the provisions of the Federal Trade Commission Act, the Federal Trade Commission on March 23, 1950, issued and subsequently served its complaint in this proceeding upon the respondents named in the caption hereof, charging them with the use of unfair and deceptive acts and practices in commerce in violation of the provisions of said act. After the filing by respondents of their joint answer to the complaint, hearings were held at which testimony and other evidence in support of and in opposition to the allegations of the complaint were introduced before a hearing examiner of the Commission, theretofore duly designated by it, and such testimony and other evidence were duly recorded and filed in the office of the Commission. On July 14, 1952, the hearing examiner filed his initial decision.

The Commission, having reason to believe that the initial decision did not constitute an appropriate disposition of the proceeding, placed this case on the Commission's own docket for review and on January 16, 1953, it issued and thereafter served on the parties its order affording the respondents an opportunity to show cause why the initial decision should not be altered in the manner and to the extent shown in the tentative decision attached to said order. Respondents subsequently filed memorandum interposing their objections to the alterations aforesaid and counsel supporting the complaint filed memorandum in reply thereto. The Commission having considered and ruled on such objections, this proceeding regularly came on for final consideration by the Commission upon the record here on review and the Commission, having duly considered the matter and being now fully advised in the premises, finds that this proceeding is in the interest of the public and makes the following findings as to the facts,[1] conclusion drawn therefrom,[1] and order, the same to be in lieu of the initial decision of the hearing examiner:

It is ordered, That respondent American Tack Company, Inc., a corporation, and its officers; respondents Michael Markman, Edward H. Weinberg, Molly Markman and James L. Weinberg, individually and as officers and directors of respondent American Tack Company, Inc., respondent Markwin Industries, Inc., a corporation, and its officers; and respondents Harold M. Weinberg, Mi-

[1] Filed as part of the original document.

chael Markman, Anna Weinberg and Molly Markman, individually and as officers and directors of said Markwin Industries, Inc., and the aforesaid respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of thumbtacks, or other similar products, do forthwith cease and desist from offering for sale or selling any such products of foreign origin without clearly and conspicuously disclosing on the packages or other containers in which they are sold to the purchasing public, the country of origin of such products.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: August 21, 1953.

By the Commission.[2]

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 53-7921; Filed, Sept. 10, 1953; 8:54 a. m.]

[Docket 5759]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

BENJAMIN D. RITHOLZ ET AL.

Subpart—*Advertising falsely or misleadingly:* § 3.15 *Business status, advantages, or connections*—Government goods; § 3.30 *Composition of goods;* § 3.90 *History of product or offering;* § 3.130 *Manufacture or preparation,* § 3.135 *Nature*—Product or service; § 3.170 *Qualities or properties of product or service;* § 3.175 *Quality of product or service;* § 3.235 *Source or origin*—Maker· § 3.272 *Type;* § 3.285 *Value.* In connection with the offering for sale, sale and distribution of sunglasses, goggles, and field glasses in commerce, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means to induce, etc., directly or indirectly, the purchase in commerce of said products, which advertisements represent, directly or by implication: (a) That the alloy gold content of the frames, mountings and other metal parts of respondents' sunglasses is 1/10/12 Karat or 1/10/12 K, or any other percentage of gold content, unless and until said products actually contain the percentage of gold so represented; (b) that respondents' sunglasses are gold plated, when the deposit of gold on the frames, mountings and other metal parts thereof is not of any definite quality and substantial thickness; (c) that the frames of respondents' sunglasses will not tarnish, when the metal parts thereof are of such composition that they will in fact tarnish; (d) that the lenses of respondents' sunglasses are ground and polished, unless and until such is in fact true; (e) that said lenses are non-breakable, unless and until such is in fact true; (f) that respondents' products are of a type and quality regularly retailing at prices as high as $5.00 or more, or that such products are of a value of $8.50, $10.00 or $15.00, or any other specific amount, unless and until such is in fact true; (g) that the frames and mountings of respondents' sunglasses are manufactured by Bausch & Lomb, American Optical Company, Shuron Optical Company, or any other manufacturer, unless and until such frames and mountings are in fact so manufactured; (h) that respondents' product designated "Liko Binoculars" or that product or any substantially similar product designated by any name, is binoculars, unless and until such product is so constructed as to contain prisms; (i) that respondents' product designated "Liko Binoculars" or that product or any similar product designated by any name, eliminates light loss due to surface reflection by 50 percent, or any other percentage, unless and until such is in fact true; (j) that the field of vision of respondents' product designated "Liko Binoculars" or of that or any similar product designated by any name, is 150 yards, or an area of 150 yards at a distance of 1,000 yards, or any other specific area or distance, unless and until such is in fact true; and (k) that respondents' products are war surplus, or purchased or received from the Air Corps, Air Force, War Assets Administration, or other Government agency, unless and until such is in fact true; prohibited.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Benjamin D. Ritholz et al. t. a. Dr. Ritholz & Sons Company, etc., Chicago, Ill., Docket 5759, August 6, 1953]

In the Matter of Benjamin D. Ritholz, Morris I. Ritholz, Samuel J. Ritholz, Sylvia Ritholz, Fannie Ritholz, Sophie Ritholz, Jacob Ritholz, Anna Ritholz Bedno, Donald A. Ritholz, and Vera R. Ritholz, Individually and as Copartners Trading as Dr Ritholz & Sons Company, Dr Ritholz Optical Company, and Under Other Names

This proceeding was heard by Abner E. Lipscomb, hearing examiner, upon the complaint of the Commission, and a hearing at which a stipulation as to the facts was agreed upon between counsel supporting the complaint and an individual respondent, acting as counsel for all, which, after having been incorporated into the record, was later stricken therefrom upon motion of counsel supporting the complaint, by order of the examiner, confirmed by the Commission upon respondents' appeal.

Subsequently, Frank E. Gettleman entered his appearance as counsel for the respondents and agreed with counsel supporting the complaint upon another stipulation as to the facts, which was submitted to the examiner, and by his order incorporated into the record, and under which it was agreed between counsel that the facts therein stated might be taken as the facts in the proceeding in lieu of evidence in support of the allegations of the complaint or in opposition thereto, and that said examiner might, without the filing of proposed findings as to the facts and conclusions or the presentation of oral argument thereon, proceed to issue his initial decision disposing of the proceeding.

Thereafter, following the submission of said stipulation, counsel for the respondents filed a motion requesting that the complaint be dismissed as to Clark Optical Company and respondents Dr. Ritholz & Sons Company and Dr. Ritholz Optical Company, and counsel supporting the complaint filed answer thereto, and said examiner, having duly considered the record in the matter, including the stipulation as to the facts, motion to dismiss and answer thereto, found that the proceeding was in the interest of the public and made his initial decision comprising certain findings as to the facts,[1] conclusions drawn therefrom,[1] and order, including order to cease and desist as to certain respondents and order of dismissal as to certain respondents and as to certain charges of the complaint.

No appeal having been filed from said initial decision of said hearing examiner, as provided for in Rule XXII, nor any other action taken as thereby provided to prevent said initial decision becoming the decision of the Commission thirty days from service thereof upon the parties, said initial decision, including said order to cease and desist, accordingly, under the provisions of said Rule XXII became the decision of the Commission on August 6, 1953.

Said order to cease and desist is as follows:

It is ordered, That respondents Benjamin D. Ritholz, Morris I. Ritholz, Samuel J. Ritholz, Sylvia Ritholz, Fannie Ritholz, Sophie Ritholz, Jacob Bedno (erroneously designated in the complaint as Jacob Ritholz) and Anna Ritholz Bedno, individually and as copartners trading as Dr. Ritholz & Sons Company, Dr. Ritholz Optical Company, and under other names, their representatives, agents and employees, directly or through any corporate or other device in connection with the offering for sale, sale and distribution of sunglasses, goggles and field glasses in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Disseminating or causing to be disseminated, by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, and advertisement which represents, directly or by implication:

a. That the alloy gold content of the frames, mountings and other metal parts of their sunglasses is 1/10/12 Karat or 1/10/12 K, or any other percentage of gold content, unless and until said products actually contain the percentage of gold so represented;

b. That their sunglasses are gold plated, when the deposit of gold on the frames, mountings and other metal parts thereof is not of any definite quality and substantial thickness;

[2] Commissioner Mason dissenting.

[1] Filed as part of the original document.

c. That the frames of their sunglasses will not tarnish when the metal parts thereof are of such composition that they will in fact tarnish;

d. That the lenses of their sunglasses are ground and polished, unless and until such is in fact true;

e. That the lenses of their sunglasses are non-breakable, unless and until such is in fact true;

f. That their products are of a type and quality regularly retailing at prices as high as $5.00 or more, or that such products are of a value of $8.50, $10.00 or $15.00, or any other specific amount, unless and until such is in fact true;

g. That the frames and mountings of their sunglasses are manufactured by Bausch & Lomb, American Optical Company, Shuron Optical Company, or any other manufacturer, unless and until such frames and mountings are in fact so manufactured;

h. That their product designated "Liko Binoculars," or that product or any substantially similar product designated by any name, is binoculars, unless and until such product is so constructed as to contain prisms;

i. That their product designated "Liko Binoculars," or that product or any similar product designated by any name, eliminates light loss due to surface reflection by 50 percent, or any other percentage, unless and until such is in fact true;

j. That the field of vision of their product designated "Liko Binoculars," or of that or any similar product designated by any name, is 150 yards, or an area of 150 yards at a distance of 1,000 yards, or any other specific area or distance, unless and until such is in fact true;

k. That their products are war surplus, or purchased or received from the Air Corps, Air Force, War Assets Administration, or other Government agency, unless and until such is in fact true;

2. Disseminating or causing to be disseminated any advertisement, by any means, for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of said products, which advertisement contains any of the representations prohibited in paragraph 1 hereof.

It is further ordered, That the complaint herein, insofar as it relates to respondents Donald A. Ritholz and Vera R. Ritholz, be, and the same hereby is, dismissed.

It is further ordered, That the complaint herein, insofar as it relates to respondents' use in their trade name or advertising of the title "Doctor" or the abbreviation "Dr.," be, and the same hereby is, dismissed.

It is further ordered, That the complaint herein, insofar as it relates to respondent Benjamin D. Ritholz trading as Clark Optical Company, be, and the same hereby is, dismissed.

It is further ordered, That the complaint herein, insofar as it relates to respondents' use of the word "Veterans" in the trade name "Veterans Emporium," or in any other manner relating to respondents' service in the Armed Forces, be, and the same hereby is, dismissed.

By "Decision of the Commission and Order to File Report of Compliance" Docket 5759, August 6, 1953, which announced and decreed fruition of said initial decision, report of compliance was required as follows:

It is ordered, That respondents Benjamin D. Ritholz, Morris I. Ritholz, Samuel J. Ritholz, Sylvia Ritholz, Fannie Ritholz, Sophie Ritholz, Jacob Bedno (erroneously designated in the complaint as Jacob Ritholz) and Anna Ritholz Bedno, individually and as copartners trading as Dr. Ritholz & Sons Company, Dr. Ritholz Optical Company, and under other names, shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: August 6, 1953.

By the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 53-7911; Filed, Sept. 10, 1953; 8:50 a. m.]

[Docket 5985]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

ROBERT HALL CLOTHES, INC., ET AL.

Subpart—*Advertising falsely or misleadingly:* § 3.155 *Prices:*—Exaggerated as regular and customary; usual as reduced, special, etc., § 3.285 *Value.* Subpart—*Aiding, assisting and abetting unfair or unlawful act or practice:* § 3.290 *Aiding, assisting and abetting unfair or unlawful act or practice.* In connection with the offering for sale, sale and distribution of clothing in commerce, representing, directly or by implication, (1) that the regular price of corporate respondent's clothing is any amount in excess of the price at which such clothing is being offered for sale or has been sold by corporate respondent in recent regular course of business; (2) that any price which does not constitute a reduction from corporate respondent's former prices for its clothing affords any savings to purchasers from corporate respondent's regular prices, or misrepresenting in any manner the amount of savings afforded to purchasers of corporate respondent's clothing; and (3) that the value of corporate respondent's clothing is any amount in excess of its actual value; and (4) cooperating or participating with corporate respondent's subsidiary retail stores in disseminating any advertisements containing any such representations; prohibited, subject to the provision, however, as respects the aforesaid third prohibition, that nothing contained in the order shall prevent respondents from advertising or otherwise representing that corporate respondent's merchandise is worth or of a value in excess of the stated price, provided such worth or value is based upon the price of comparable merchandise sold by other retailers in the same trade territory. (Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Robert Hall Clothes, Inc. et al., New York, N. Y., Docket 5985, August 19, 1953.]

In the Matter of Robert Hall Clothes, Inc., a corporation, and Harold Rosner Frank B. Sawdon, A. Harry Feldman and Achilles Suyker individually and as officers and directors of Robert Hall Clothes, Inc.

This proceeding was instituted by complaint which charged respondents with the use of unfair methods of competition and unfair and deceptive acts and practices in violation of the provisions of the Federal Trade Commission Act.

It was disposed of, as announced by the Commission's "Notice" dated August 21, 1953, through the consent settlement procedure provided in Rule V of the Commission's rules of practice as follows:

The consent settlement tendered by the parties in this proceeding, a copy of which is served herewith, was accepted by the Commission on August 19, 1953, and ordered entered of record as the Commission's findings as to the facts, conclusion, and order in disposition of this proceeding.

Said order thus entered of record, following the findings as to the facts[1] and conclusion,[1] reads as follows:

It is ordered, That respondent, Robert Hall Clothes, Inc., a corporation, and its officers, representatives, agents and employees and respondents Harold Rosner, Frank B. Sawdon, and Achilles Suyker, as officers and directors of said corporate respondent, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of clothing in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication that the regular price of corporate respondent's clothing is any amount in excess of the price at which such clothing is being offered for sale or has been sold by corporate respondent in recent regular course of business.

2. Representing, directly or by implication, that any price which does not constitute a reduction from corporate respondent's former prices for its clothing affords any savings to purchasers from corporate respondent's regular prices, or misrepresenting in any manner the amount of savings afforded to purchasers of corporate respondent's clothing.

3. Representing, directly or by implication, that the value of corporate respondent's clothing is any amount in excess of its actual value. *Provided, however,* That nothing contained in this order shall prevent respondents from advertising or otherwise representing that corporate respondent's merchandise is worth or of a value in excess of the stated price, provided such worth or value is based upon the price of comparable merchandise sold by other retailers in the same trade territory.

4. Cooperating or participating with corporate respondent's subsidiary retail

[1] Filed as part of the original document.

stores in disseminating any advertisement containing any representation prohibited by this order.

It is further ordered, That the complaint herein be and it hereby is dismissed without prejudice as to respondent A. Harry Feldman.

It is further ordered, That respondents Robert Hall Clothes, Inc., Harold Rosner, Frank B. Sawdon and Achilles Suyker shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

The foregoing consent settlement is hereby accepted by the Federal Trade Commission and ordered entered of record this 19th day of August 1953.

Issued: August 21, 1953.

By direction of the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 53-7922; Filed, Sept. 10, 1953; 8:54 a. m.]

[Docket 6095]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

DICTOGRAPH PRODUCTS, INC.

Subpart—*Advertising falsely or misleadingly:* § 3.25 *Competitors and their products*—Competitors products; § 3.85 *Government approval, action, connection or standards*—Government indorsement; tests and investigations; § 3.205 *Scientific or other relevant facts;* § 3.280 *Unique nature or advantages.* Subpart—*Claiming or using indorsements or testimonials falsely or misleadingly:* § 3.330 *Claiming or using indorsements or testimonials falsely or misleadingly.* Subpart—*Disparaging competitors and their products*—Competitors' products: § 3.975 *History;* § 3.1000 *Performance.* In connection with the offering for sale, sale or distribution of hearing aids in commerce, representing directly or by implication: (a) That the United States Government, through the United States Public Health Service or any other branch of the Government made an investigation of hearing aids; (b) that booklets published by respondent are published by the United States Government or any branch thereof; (c) that booklets published by respondent contain a report on hearing aids by the United States Government or any branch thereof; (d) that the United States Government or any branch thereof has branded any class of hearing aids as failures; (e) that said hearing aids are the only ones on the market that are satisfactory; (f) that said hearing aids are recommended by the United States Government or any branch thereof; and (g) that competitors' hearing aids have not been improved in recent years; prohibited.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Dictograph Products, Inc., Jamaica, L. I., N. Y., Docket 6095, August 5, 1953]

This proceeding was instituted by complaint which charged respondent with the use of unfair methods of competition and unfair and deceptive acts and practices in violation of the provisions of the Federal Trade Commission Act.

It was disposed of, as announced by the Commission's "Notice" dated August 11, 1953, through the consent settlement procedure provided in Rule V of the Commission's rules of practice as follows:

The consent settlement tendered by the parties in this proceeding, a copy of which is served herewith, was accepted by the Commission on August 5, 1953, and ordered entered of record as the Commission's findings as to the facts, conclusion, and order in disposition of this proceeding.

Said order to cease and desist, thus entered of record, following the findings as to the facts[1] and conclusion,[1] reads as follows:

It is ordered, That respondent, Dictograph Products, Inc., a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of hearing aids in commerce, do forthwith cease and desist from representing directly or by implication:

(a) That the United States Government, through the United States Public Health Service or any other branch of the Government made an investigation of hearing aids.

(b) That booklets published by respondent are published by the United States Government or any branch thereof.

(c) That booklets published by respondent contain a report on hearing aids by the U. S. Government or any branch thereof.

(d) That the United States Government or any branch thereof has branded any class of hearing aids as failures.

(e) That said hearing aids are the only ones on the market that are satisfactory.

(f) That said hearing aids are recommended by the United States Government or any branch thereof.

(g) That competitors' hearing aids have not been improved in recent years.

It is further ordered, That respondent shall, within 60 days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

The foregoing consent settlement is hereby accepted by the Federal Trade Commission and ordered entered of record on this the 5th day of August 1953.

Issued: August 11, 1953.

By direction of the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 53-7920; Filed, Sept. 10, 1953; 8:53 a. m.]

[1] Filed as part of the original document.

TITLE 29—LABOR

Chapter XII—Federal Mediation and Conciliation Service

PART 1401—AVAILABILITY OF INFORMATION RECORDS; COMPLIANCE WITH SUBPOENAS

The regulations issued by the Federal Mediation and Conciliation Service published in 13 F R. 7863, are hereby amended as follows:

1. Section 1401.2 is revoked and a new § 1401.2 is issued in lieu thereof to read as follows:

§ 1401.2 *Records.* All files reports, letters, memoranda, minutes, documents or other papers (herein referred to as "records") in the official custody of the Service or any of its employees, relating to or acquired in its or their official activities under Title II of the Labor-Management Relation Act, 1947, as amended, are hereby declared to be confidential for good cause found. Public policy requires that Commissioners of Conciliation do not make disclosures of information coming to their knowledge while acting in their official capacities. The successful effectuation of the responsibility placed upon the Federal Mediation and Conciliation Service by Congress requires that such Commissioners maintain a reputation for impartiality and that parties participating in mediation efforts feel free to make disclosures to them without any fear that the Conciliators may subsequently be compelled to divulge such information. No such records shall be taken, withdrawn, copied or removed from the custody of the Service or its employees by any person not officially connected with the Service or by any agent or representative of such person without the written consent of the Director.

2. Section 1401.3 is added to Part 1401. That section reads as follows:

§ 1401.3 *Compliance with subpoenas.* No officer, employee or other person officially connected in any capacity with the Service, shall produce or present any records of the Service or testify on behalf of any party to any cause pending in any court or before any board, commission, committee, tribunal, investigatory body or administrative agency of the United States or of any State, Territory, or the District of Columbia with respect to facts or other matters coming to his knowledge in his official capacity or with respect to the contents of any records of the Service, whether in answer to an order, subpoena, subpoena duces tecum or otherwise, without the written consent of the Director. Whenever any subpoena or subpoena duces tecum calling for records or testimony as described above shall have been served upon any such officer, employee or other person, he will, unless otherwise expressly directed by the Director, appear in answer thereto, and respectfully decline, by reason of this section, to produce or present such records or to give such testimony.

(Sec. 202, 61 Stat. 153, as amended; 29 U. S. C. 172. Interpret or apply sec. 3, 60 Stat. 238; 5 U. S. C. 1002)

Signed at Washington, D. C., this 8th day of September 1953.

WHITLEY P. McCOY,
Director.

[F. R. Doc. 53-7923; Filed, Sept. 10, 1953; 8:55 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Department of the Navy

Subchapter C—Personnel

PART 726—REGULATIONS FOR THE PAYMENTS OF AMOUNTS DUE MENTALLY INCOMPETENT NAVAL PERSONNEL

DETERMINATION OF INCOMPETENCY

Section 726.3 is revised to read as follows:

§ 726.3 *Determination of incompetency.* (a) The Judge Advocate General after examining into the legitimacy, substance, and sufficiency of the application for appointment in the light of the then known circumstances, will notify the commanding officer of the naval hospital in which the alleged mental incompetent is being treated, the commanding officer of the naval hospital to which the alleged incompetent may be most conveniently referred for examination, or, in cases of members in other Federal hospitals, the appropriate commandant of the naval district or river command, and upon receipt of such notification the appropriate commanding officer or commandant shall cause to be convened or appointed a board of not less than three qualified medical officers, one of whom shall be specially qualified in the treatment of mental disorders, to determine if the alleged incompetent is capable of managing his own affairs. At least one member of the board, preferably a psychiatrist, shall personally observe the alleged mental incompetent and satisfy himself that the medical record correctly reflects the individual's state of mental health. Naval medical officers on active duty or inactive duty shall comprise the board, except that for patients hospitalized in other Federal hospitals, officers of the Medical Corps of the uniformed services including those of the Reserve components not on active duty may be appointed as members of the board. The record of proceedings and the findings of the board shall, after action by the convening authority thereon, be forwarded to the Judge Advocate General.

(b) Procedure in cases of members presenting mental disorders who are not to be immediately considered for disposition under Title IV of the Career Compensation Act of 1949 shall be as follows:

(1) Whenever it appears to the commanding officer of a naval hospital that a member undergoing treatment therein may be mentally incapable of managing his own affairs, such commanding officer shall, unless the member is to be immediately presented to a medical board preliminary to his appearance before a physical evaluation board, convene a medical board of not less than three naval medical officers, one of whom shall be specially qualified in the treatment of mental disorders, to inqure into the mental competency of such member.

(2) The board will inquire into and determine whether the member is mentally capable or incapable of managing his own affairs, and shall transmit the record of its proceedings and findings to the convening authority.

(3) In the event the board finds that the member is incapable of managing his own affairs, the convening authority shall immediately forward the record of proceedings to the Judge Advocate General, Attention Division III. The convening authority shall set forth in his forwarding endorsement the name, relationship, and address of the member's next of kin, and such other pertinent information as shall be available, and shall request the Judge Advocate General to appoint a trustee to receive amounts which are or may become payable to the member.

(c) Procedure in cases of members presenting mental disorders who are ordered before medical boards preliminary to their appearance before physical evaluation boards shall be as follows:

(1) Whenever the case of any member presenting, or alleged to present, a mental disorder is referred to a medical board, the convening authority will insure that the board is composed of not less than three naval medical officers, one of whom shall be specially qualified in the treatment of mental disorders.

(2) Whenever a medical board, constituted as above, determines that a member presents a mental disorder it shall append to its report required by section 0907*b*, Naval Supplement, Manual for Courts-Martial, a certification as to whether the member is mentally capable or incapable of managing his own affairs. If the board certifies that the member is mentally incapable of managing his own affairs it shall prepare an additional signed copy of its report and certification. In the event a medical board not constituted as provided herein should determine that any member whose case is being considered presents a mental disorder it shall immediately suspend its proceedings and advise the convening authority in order that a properly constituted medical board may be convened to consider such case.

(3) If the medical board certifies that the member is mentally incapable of managing his own affairs, the convening authority shall immediately forward a signed copy of the clinical report with the certification appended to the Judge Advocate General, Attention Division III. The convening authority shall set forth in his forwarding endorsement the name, relationship, and address of the member's next of kin, and such other pertinent information as shall be available, and shall request the Judge Advocate General to appoint a trustee to receive amounts which are or may become payable to the member.

(d) Procedure in cases of members on the temporary disability retired list who present mental disorders, shall be as follows:

(1) Whenever a member on the temporary disability retired list who presents, or is alleged to present, a mental disorder is referred to a command for periodic physical examination in accordance with section 0942, Naval Supplement, Manual for Courts-Martial, such command shall convene a medical board constituted as set forth in paragraph (c) (1) of this section which shall conduct the examination.

(2) The medical board shall append to the report required by section 0942, Naval Supplement, Manual for Courts-Martial, the certification set forth in paragraph (c) (2) of this section. If the medical board certifies that a member previously determined to be mentally incompetent is competent, or that a member for whom no trustee or other legal representative has been appointed is then mentally incompetent, it shall prepare an additional signed copy of its report and certification as provided in paragraph (c) (3) of this section. If a medical board or other examining authority not constituted as provided herein should determine that a member undergoing a periodic physical examination presents a mental disorder it shall immediately suspend its proceedings and advise the convening authority in order that a properly consituted medical board may be convened to consider such case.

(3) If the medical board or other examining authority certifies that a member previously determined to be mentally incompetent is competent the convening authority shall forward a signed copy of the report to the Office of the Judge Advocate General, Attention Division III. If the board or examining authority certifies that a member for whom no trustee or legal representative has been appointed is then mentally incompetent, the convening authority shall forward the report as provided in paragraph (c) (3) of this section.

(Sec. 3, 64 Stat. 249; 37 U. S. C. 353)

J. H. SMITH, Jr.,
Assistant Secretary of the Navy for Air.

SEPTEMBER 2, 1953.

[F. R. Doc. 53-7893; Filed, Sept. 10, 1953; 8:46 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 10567]

PART 3—RADIO BROADCAST SERVICES

TELEVISION BROADCAST STATIONS; TABLE OF ASSIGNMENTS

1. The Commission has under consideration its notice of proposed rule making issued on June 29, 1953 (FCC 53-782) and published in the FEDERAL REGISTER on July 7, 1953 (18 F. R. 3945). In this notice, the Commission stated that a petition for rule making was filed requesting rule making so as to assign VHF Channel 12 to Ada, Oklahoma, by deleting that assignment from Elk City, Oklahoma, and substituting therefor Channel 26. The last day for filing comments was July 20, 1953. Comments were filed by John F. Easley, Ardmore, Oklahoma, and Eastern Oklahoma Television Corporation, Ada, Oklahoma.

2. John F Easley opposed the proposal of Eastern Oklahoma Television Corporation and urged instead a counterproposal as follows:

City	Channel No.	
	Delete	Add
Ardmore		12
Ada		10
Fort Worth	10	11
Waco	11	10
Elk City	12	26

In support of the counterproposal John F Easley urged that no VHF channels have been assigned to the southern portion of Oklahoma, that the proposal would result in a fair, efficient, and equitable distribution of such channels; that the proposal results in providing two additional VHF services while that of Eastern Oklahoma results in only one; and that the proposed changes comply with the Commission's Rules and standards. Easley recognizes that the counter proposal would affect three applications on file for Channel 10 in Fort Worth and two on file for Channel 11 in Waco but urges that only minor changes in these applications would be necessary. Easley requests the Commission to adopt the changes proposed and to deny the petition of Eastern Oklahoma.

3. In a reply to Easley Eastern Oklahoma urges that an additional VHF channel can be assigned to serve the southern portion of Oklahoma without disturbing the proposed assignment of Channel 12 to Ada as follows:

City	Channel No.	
	Delete	Add
Davis, Okla.		10
Fort Worth, Tex.	10	11
Waco, Tex.	11	10

In support of this counterproposal Eastern Oklahoma urges that the proposed changes comply with the Commission's rules and standards; that the assignment of Channel 10 to Davis, Oklahoma would serve Davis, Ardmore, and South Central Oklahoma, and that it would not result in an unnecessarily complicated proceeding with respect to the assignment of Channel 12 to Ada. Eastern Oklahoma further states that it is anxious to have the assignment of Channel 12 to Ada become effective at the earliest date possible in order that it may proceed thereafter with the construction of a television station to provide television service to the southern part of Oklahoma.

4. The first question to be decided in this proceeding is whether Channel 12 should be deleted from Elk City in order to assign it to another community in Oklahoma with UHF Channel 26 assigned as a substitute. Elk City has a population of 8,000 while Ada has a population of 15,900. In view of this large difference in size of the two communities and in the absence of any compelling reasons to the contrary, the Commission agrees that this assignment should be deleted from Elk City and placed in a larger one in which there is a need therefor. As between the proposal of Eastern Oklahoma and the counterproposal of John F Easley, the Commission is of the view that the assignment of a VHF channel in the cities of Ada and Ardmore (population 17,800) is to be preferred over the assignments of VHF channels in Ada and Davis (population 1,900) The opposition of Eastern Oklahoma to the Easley counterproposal appears to be based on the fear that any change in the original proposal of Eastern Oklahoma's original petition would result in a complicated and delayed proceeding. There is no basis in fact for this since the Commission may at this time adopt either the original request or a modified form of the request. In addition, the Eastern Oklahoma counterproposal contained in its opposition to the Easley counterproposal does not have merit in that it would assign a valuable VHF facility in a community of only 1,900 persons and in which there has been no request made for such an assignment. With respect to whether Channel 12 or Channel 10 is assigned to Ada the Commission has not recognized in the past any differences as between VHF channels for assignment purposes nor has any party to this proceeding urged such a course. Accordingly, the counterproposal of John F Easley is adopted.

5. Authority for the adoption of the amendment is contained in sections 4 (i) 301, 303 (c) (d) (f) and (r) and 307 (b) of the Communications Act of 1934, as amended.

6. In view of the fact that the amendments adopted herein will require several applicants to amend their applications, it is desirable to effectuate the subject amendments as soon as possible. *Accordingly, it is ordered,* That § 3.606 *Table of assignments* rules governing television broadcast stations is amended as follows, effective immediately:

City:	*Channel No.*
Oklahoma	
Ada	10+, 50+
Ardmore	12—, 55—
Elk City	15+, 26+
Texas	
Fort Worth	5+ 11— 20— *26—
Lubbock	5— 11; 13—, *20, 26
Waco	10+ *28— 34

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies secs. 301, 303, 307, 48 Stat. 1081, 1082, as amended, 1084; 47 U. S. C. 301, 303, 307)

Adopted: September 3, 1953.

Released: September 8, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P MASSING,
Acting Secretary.

[F. R. Doc. 53-7914; Filed, Sept. 10, 1953; 8:52 a. m.]

[Docket No. 10377]

PART 7—STATIONS ON LAND IN THE MARITIME SERVICE

PART 8—STATIONS ON SHIPBOARD IN THE MARITIME SERVICE

ASSIGNMENT AND DELETION OF FREQUENCIES

In the matter of amendment of Parts 7 and 8 of the Commission's rules to delete authority for operation by coast stations, ship stations, and aircraft stations on currently assignable frequencies for telephony within the band 4000 kc to 18000 kc; and to include authority for operation by such stations on other frequencies for telephony within the same band; Docket No. 10377.

The Commission instituted a first further notice of proposed rule making in the above captioned proceeding on May 13, 1953, which had for its purpose, the establishing of dates upon which certain new frequencies assigned to coast and ship stations on the Great Lakes would become available. The proceeding also proposed specific dates upon which certain frequencies presently used by these stations would no longer remain available.

Comments were submitted by the Lorain County Radio Corporation, the Radiomarine Corporation of America and the Lake Carriers Association, each of which requested the Commission to consider the postponement of the deletion of the frequency 6660 kc beyond the proposed date of November 1, 1953. In the case of Radiomarine Corporation of America it was indicated the proposal would cause a ship service problem to arise regarding changing frequencies.

Comments were submitted by Aeronautical Radio Incorporated which requested the Commission to study the possibility of interference between aeronautical use of 4122.5 kc and the Great Lakes marine use of 4129.1 kc and to arrange for special tests prior to November 1, 1953.

The Commission has reviewed the difficulties to be expected by the maritime mobile service in the event the frequency 6660 kc is deleted on November 1, 1953. The Commission is not unmindful of the operating problem which may confront the Great Lakes marine interests in the event this date is adopted but on the other hand, it is necessary that various other frequency adjustments be made on November 1 as a part of the introduction of the North Atlantic aeronautical frequencies on that date. The discontinuance of 6660 kc is necessary in order to permit the aeronautical activation of 6664.5 kc on that date. With respect to potential interference between aeronautical use of 4122.5 kc and marine use of 4129.1 kc, the Commission is of the view that inasmuch as the replacement frequency for 4122.5 kc (4668.5 kc) has now been cleared and activated for aeronautical use there will be no need for aeronautical use of 4122.5 kc.

In view of the foregoing and pursuant to sections 303 (c), (f) and (r) of the Communications Act of 1934, as amended, the Final Acts of the International Telecommunication and Radio Conferences, Atlantic City, and the agreement concluded at the Extraordinary Administrative Radio Conference (Geneva, 1951) it is ordered that effective immediately Parts 7 and 8 of the Commission's rules and regulations are amended as indicated below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interpret or apply sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 303)

Adopted: September 3, 1953.

Released: September 8, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

1. In the table in § 7.304 (a)

a. Add footnote designator 2 after the frequency 4282.5 kc and add footnote designator 3 after the frequencies 6470 and 8585 kc, these footnotes reading as follows:

[2] Not available after March 15, 1954.
[3] Not available after January 15, 1954.

b. Add the following frequencies and accompanying footnotes:

4434.5 [4] [6]
8797.3 [5] [7]
[4] Available beginning December 1, 1953.
[5] Available beginning November 1, 1953.
[6] For test purposes only, on condition that interference shall not be caused to any maritime mobile telephone service of the Great Lakes area conducted on 4422.5 kc; available for regular service without this limitation beginning March 15, 1954.
[7] For test purposes only, on condition that interference shall not be caused to any maritime mobile telephone service of the Great Lakes area conducted on 8820 kc; available for regular service without this limitation beginning January 15, 1954.

c. Add footnote designators 5 and 6 after the frequency 4420.7.

2. Section 7.306 (b) is amended by adding to the table of frequencies the following:

4434.5	Great Lakes area	4129.1
8797.3	Great Lakes area	8248.1

3. In the table in § 8.351 (a)

a. Add footnote designator 4 after the frequency 4422.5 kc.

b. Add the frequencies 4115.3, 4129.1 and 8248.1 and add footnote designator 5 after each of these frequencies.

c. Change the footnotes at the bottom of the table to read as follows:

[2] Not available after November 1, 1953.
[3] Not available after October 1, 1953.
[3] Not available after January 15, 1954.
[4] Not available in any area after March 15, 1954.
[5] Available beginning November 1, 1953.

4. Section 8.354 (a) (1) is amended by adding to the table of frequencies the following:

4115.3	Great Lakes	4420.7
4129.1	Great Lakes	4424.5

5. Section 8.355 (a) (2) is amended by adding to the table of frequencies the following:

Ship station transmitting carrier frequency [4]	*Ship station receiving carrier frequency*
8248.1	8797.3

[F. R. Doc. 53-7913; Filed, Sept. 10, 1953; 8:51 a. m.]

PROPOSED RULE MAKING

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 7, 8]

[Docket No. 10677]

STATIONS ON LAND AND SHIPBOARD IN MARITIME SERVICE

MARITIME MOBILE TELEPHONY AT NEW YORK

In the matter of amendment of Parts 7 and 8 of the Commission's rules to make an additional pair of 4 Mc frequencies available for maritime mobile telephony at New York; Docket No. 10677.

On May 6, 1953, the Commission adopted a report and order in the above designated docket finalizing a plan of assignment for all areas other than the Mississippi River and connecting inland waters (except the Great Lakes) which would be used as a basis for carrying out the maritime mobile radiotelephone portion of the Geneva Agreement (1951) in the frequency bands between 4000 kc and 18000 kc.

This proposal would amend the action of the above-mentioned report and order by making available an additional 4 Mc pair of frequencies for maritime mobile telephony in the vicinity of New York. The report and order designated the frequencies 4434.5 and 4129.1 kc, respectively, for coast and ship telephone on the Great Lakes. It is proposed to make the same frequencies available also for full-time unrestricted winter use in the vicinity of New York during the period December 15 to March 15.

The proposed amendments to the rules are issued pursuant to the authority of sections 303 (c) (f) and (r) of the Communications Act of 1934, as amended, the Final Acts of the International Telecommunication Radio Conference (Atlantic City 1947) and the agreement concluded at the Extraordinary Administrative Radio Conference (Geneva 1951)

Any interested party who is of the opinion that the proposed amendments should not be adopted, or should not be adopted in the form set forth herein, may file with the Commission on or before Oct. 10, 1953, a written statement or brief setting forth his comments. Replies to such comments may be filed within ten days from the last date for filing the original comments. The Commission will consider all comments and briefs presented before taking final action in the matter.

In accordance with the provisions of § 1.764 of the Commission's rules, an original and 14 copies of all statements, briefs or comments filed shall be furnished the Commission.

Adopted: September 3, 1953.

Released: September 8, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 53-7912; Filed, Sept. 10, 1953; 8:51 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

UTAH

NOTICE OF FILING OF PLAT OF SURVEY

AUGUST 27, 1953.

Notice is given that the plat accepted January 30, 1953, of (1) resurvey delineating a retracement and reestablishment of a portion of the original survey as shown upon the plat approved June 16, 1875, and (2) extension survey of lands hereinafter described, will be officially filed in the Land and Survey Office, Salt Lake City, Utah, effective 10:00 a. m., on the 35th day after the date of this notice.

The lands affected by this notice are described as follows:

SALT LAKE MERIDIAN

T. 6 S., R. 8 W.,
Sec. 18, lots 3 to 6, inclusive;
Sec. 19, lots 1 to 12, inclusive;
Sec. 28, S½,
Sec. 29, NW¼, S½,
All of secs. 30, 31, 32, and 33.

The area described aggregates 4,074.92 acres.

Available information indicates that the lands described are desert mountains and rolling bench lands.

Lots 3, 5, 6, 7, 10, to 15, inclusive, and the SE¼NW¼, NE¼SW¼, N½SE¼ sec. 31; Lots 2, 5, 7, 8, 9, 10, 12, sec. 32; and Lot 2, sec. 33, are within the exterior boundaries of the Dugway Proving Ground, and are considered to be withdrawn from all forms of appropriation for the exclusive use of the Department of the Army, within the meaning of de-

partmental decision of December 18, 1951, A-26289.

No applications for the remainder of the land described may be allowed under the homestead, desert-land, small tract, or any other non-mineral public land law unless the land has already been classified as valuable or suitable for such application or shall be so classified upon consideration of an application.

At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this notice shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a) as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284) as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this notice shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this notice, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this notice, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides) of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land and Survey Office, Salt Lake City, Utah, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land and Survey Office, Salt Lake City, Utah.

ERNEST E. HOUSE,
Manager

[F. R. Doc. 53-7897; Filed, Sept. 10, 1953; 8:45 a. m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

SALES OF CERTAIN COMMODITIES AT FIXED PRICES

SEPTEMBER 1953 DOMESTIC AND EXPORT PRICE LISTS

Pursuant to the Pricing Policy of Commodity Credit Corporation issued March 22, 1950 as amended January 9, 1953 (15 F R. 1593, 18 F R. 176) and subject to the conditions stated therein, the following commodities are available for sale in the quantities and at the prices stated:

SEPTEMBER 1953 EXPORT PRICE LIST

Commodity and approximate quantity available (subject to prior sale)	Export price list
Cottonseed oil, refined 740,000,000 pounds.[2]	Bid basis f. o. b. tankers or tankwagons at points of storage locations. Available New Orleans PMA Commodity office.
Cottonseed oil, crude 2,000,000 pounds.[1]	Bid basis f. o. b. tankcars or tankwagons at producer's mills. Available New Orleans PMA Commodity office.
Linseed oil, raw 189,600,000 pounds.[1]	Bid basis f. o. b. tankcars at point of storage locations. Available Chicago, Dallas, New Orleans, Portland, and Minneapolis PMA Commodity offices.
Olive oil, edible, 202,784 gallons [1]	Bid basis in 50/55 gallon drums f. o. b. points of storage locations. Available Portland PMA Commodity office.
Peanuts, farmer's stock, bagged—	Bid basis, f. o. b. points of storage locations subject to the terms and conditions of USDA Announcement CCC Peanut Form 40.
Virginia type:	
1951 crop—39,000 tons.[1]	
1952 crop—16,000 tons.[1]	
Spanish:	
1952 crop—3,000 tons [1]	Same as above.
Runners:	
1952 crop—22,000 tons [1]	Same as above.
Shelled peanuts, bagged (for crushing only).	Bid basis, f. a. s. vessel at specified U. S. ports, subject to terms and conditions of USDA Announcement FO-28/53. Available New Orleans PMA Commodity office.
Corn, bulk, 50,000,000 bushels [1]	Market price on date of sale at point of delivery, provided delivery takes place within 15 days unless otherwise agreed upon.
Flaxseed, bulk, Midwest area, 4,423,000 bushels.	Information covering quantities and locations of the Midwest flaxseed can be secured from the Chicago and Minneapolis PMA Commodity offices. Offers are invited and will be considered on the basis of quantity as well as price, and will not be accepted for less than the minimum carlot weight as prescribed by railroad carrier's regulation at point of storage.
Soybeans, bulk, 3,140,000 bushels [1]	Market price on date of sale at place of delivery, provided delivery takes place within 15 days unless otherwise agreed upon, basis No. 2 or better Grade green or yellow soybeans. Market differentials will apply to other classes and grades. Available Minneapolis, Kansas City, and Chicago PMA Commodity offices.

[1] These same lots also are available at domestic sales prices announced today.

SEPTEMBER 1953 DOMESTIC PRICE LIST

Commodity and approximate quantity available (subject to prior sale)	Domestic sales price
Nonfat dry milk solids, in carload lots only: 350,000,000 pounds—Spray. 60,000,000 pounds—Roller.	Spray process, U. S. Extra Grade, 17 cents per pound; roller process, U. S. Extra Grade, 15 cents per pound. Prices apply "in store" at location of stocks in any State ("in store" means at the processor's plant or in storage at warehouse, but with any prepaid storage and outhandling charges for the benefit of the buyer).
Salted creamery butter (in carload lots only), 270,000,000 pounds.	U. S. Grade A and higher: All States except those listed below, 68.75 cents per pound. New York, New Jersey, Pennsylvania, New England and other States bordering the Atlantic Ocean and Gulf of Mexico, 69.50 cents per pound. California, Oregon, and Washington, 69.75 cents per pound. U. S. Grade B: 2 cents per pound less than Grade A prices. Prices apply "in store" at location of stocks in those States where butter is stored ("in store" means at the processor's plant or warehouse, but with any prepaid storage and outhandling charges for the benefit of the buyer).
Cheddar cheese, cheddar and twin styles (standard moisture basis, in carload lots only), 235,000,000 pounds.	U. S. Grade A and higher: All States except those listed below, 39 cents per pound. New York, New Jersey, Pennsylvania, New England and other States bordering the Atlantic and Pacific Oceans and Gulf of Mexico, 40 cents per pound. U. S. Grade B: 1 cent per pound less than Grade A prices. Prices apply "in store" at location of stocks in those States where cheese is stored. All prices are subject to usual adjustment for moisture content ("in store" means at the processor's plant or warehouse, but with any prepaid storage and outhandling charges for the benefit of the buyer).
Cottonseed oil, refined, 740,000,000 pounds.[1]	Market price but not less than the minimum crude price, with appropriate adjustments for refining, location and quality, f. o. b. tankcars or tankwagons at points of storage locations. Available New Orleans PMA Commodity office. Price will not be reduced during period ending June 30, 1954.

[1] These same lots also are available at export sales prices announced today.

SEPTEMBER 1953 DOMESTIC PRICE LIST—Continued

Commodity and approximate quantity available (subject to prior sale)	Domestic sales price
Cottonseed oil, crude, 2 000 000 pounds [1]	Market price but not less than 14 cents per pound, prime, valley basis, f. o. b. tankcars or tankwagons at producer's mills subject to premiums or discounts comparable to Bulletin 3 of the 1953 crop cottonseed price support program. Available New Orleans PMA Commodity office Price will not be reduced during period ending June 30, 1954.
Linseed oil, raw, 180,000,000 pounds [1]	Market price on date of sale. Available Chicago, Dallas New Orleans, Portland, and Minneapolis PMA Commodity offices
Olive oil edible 202 784 gallons [1]	Market price or $2 68 per gallon in 55 gallon drums, whichever is higher, f. o b points of storage locations. Available Portland PMA Commodity office.
Peanuts, farmer s stock bagged, Virginia Type:	Bid basis, f. o. b. points of storage locations subject to the terms and conditions of Announcement OOO Peanut Form 40 Available New Orleans PMA Commodity office
1951 crop—30 000 tons [1]	
1952 crop—16 000 tons [1]	
Spanish:	
1952 crop—3 000 tons [1]	
Runners:	
1952 crop—22,000 tons [1]	
Large lima dry, edible beans bagged, 150,000 hundredweight	No. 1 Grade 1952 Crop: $12.49 per 100 pounds basis f. o. b. California points of production. Amount of applicable paid-in freight to be added No. 2 grade 25 cents less than No. 1, and No. 3 grade 50 cents less than No 1 Available Portland PMA Commodity office.
Seeds	On all seeds except ladino: Offers will not be accepted for less than the minimum carlot weight as prescribed by railroad carrier's regulation at point of storage. However, if quantity available at any location is less than carlot, offers will be accepted for the entire lot
Common and Willamette vetch seed, bagged, 209 740 hundredweight.	$6 per 100 pounds, f. o. b. point of production, plus any paid in freight as applicable basis current freight rate at time of sale. Available Dallas, Portland, and New Orleans PMA Commodity offices.
Red clover seed (uncertified), bagged, 148 630 hundredweight.	$36.75 per 100 pounds, f. o. b. point of production, plus any paid in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954. Available Portland, Chicago, Kansas City, Minneapolis, and New Orleans PMA Commodity offices.
Red clover seed (certified); bagged, Cumberland, 997 hundredweight Midland, 625 hundredweight.	$36.75 per 100 pounds, f. o. b. point of production, plus any paid in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954 Available Portland and Kansas City PMA Commodity offices.
Red clover seed (Kenland certified), bagged, 54 hundredweight	$43 per 100 pounds, f o. b. point of production, plus any paid in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954. Available Portland PMA Commodity office.
White clover seed bagged, 813 hundredweight.	$53.50 per 100 pounds, f. o. b. area of production, plus any paid in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954 Available New Orleans PMA Commodity office.
Ladino clover seed (certified), bagged, 131,240 hundredweight.	$105 per 100 pounds, basis f. o. b. point of production, plus any paid in freight, as applicable. $100 in lots of 60,000 pounds, or more. Above prices will not be reduced during period ending October 31, 1953 Available Portland and Minneapolis PMA Commodity offices.
Crimson clover seed, bagged, 1,040 hundredweight.	$18 per 100 pounds, f. o. b. point of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Available Portland and New Orleans PMA Commodity offices.
Biennial sweet clover seed, bagged, 25,970 hundredweight	$9.45 per 100 pounds, f. o. b. point of production, plus any paid in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954. Available Kansas City, Minneapolis, Chicago, and Portland PMA Commodity offices.
Alsike clover seed bagged 37,690 hundredweight.	$27 per 100 pounds, f. o. b. point of production, plus any paid in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954 Available Portland and Chicago PMA Commodity offices.
Smooth bromegrass seed (uncertified), bagged 179 hundredweight	$15.75 per 100 pounds, f. o. b. point of production, plus any paid in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954 Available Portland and Chicago PMA Commodity offices.
Smooth bromegrass seed (manchar certified), bagged, 345 hundredweight	$22.50 per 100 pounds, f. o. b. point of production, plus any paid in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954 Available Portland PMA Commodity office.
Mountain bromegrass seed (Bromar certified), bagged 530 hundredweight	$21 per 100 pounds, f. o. b. point of production, plus any paid-in freight as applicable basis current freight rate at time of sale Price will not be reduced during period ending June 30, 1954 Available Portland PMA Commodity office
Hairy vetch seed bagged 201,310 hundredweight	$1 plus 1953 support price per 100 pounds, f o. b. point of production plus any paid in freight as applicable basis current freight rate at time of sale Available Portland, Dallas and New Orleans PMA Commodity offices.
Birdsfoot trefoil seed, bagged, 1,170 hundredweight	$78.75 per 100 pounds, f. o. b. point of production, plus any paid in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954 Available Portland PMA Commodity office

[1] These same lots al o are available at export sales prices announced today,

SEPTEMBER 1953 DOMESTIC PRICE LIST—Continued

Commodity and approximate quantity available (subject to prior sale)	Domestic sales price
Primar slender wheatgass seed (certified), bagged, 474 hundredweight	$31.50 per 100 pounds, f. o b., point of production plus any paid-in freight as applicable basis current freight rate at time of sale Price will not be reduced during period ending June 30, 1954 Available Portland and Minneapolis PMA Commodity offices.
Alfalfa seed, northern, bagged, 217 215 hundredweight	$37.50 per 100 pounds, f. o. b. area of production plus any paid-in freight as applicable basis current freight rate at time of sale Price will not be reduced during period ending June 30, 1954. Available Portland, Minneapolis and Kansas City PMA Commodity offices.
Alfalfa seed, central, bagged 26,914 hundredweight	$30 per 100 pounds, f. o b. area of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954. Available Portland Dallas Kansas City, and Chicago PMA Commodity offices.
Alfalfa seed, southern bagged, 1 664 hundredweight	$22 per 100 pounds f.o.b area of production, plus any paid in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954. Available Portland PMA Commodity office.
Alfalfa seed (certified), bagged:	$43 per 100 pounds, f. o. b. area of production, plus any paid in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954. All available in Portland, all but Atlantic in Kansas City, all but Buffalo and Atlantic in Minneapolis and only Buffalo in Dallas PMA Commodity office
Ranger, 53 917 hundred weight	
Ladak, 0,882 hundredweight.	
Grimm, 3 054 hundredweight	
Buffalo, 31,181 hundred weight.	
Atlantic, 4 104 hundred weight.	
Alfalfa seed (certified), bagged:	$23.70 per 100 pounds, f o. b. area of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954 Available Portland PMA Commodity office
Chilean, 99 hundredweight.	
Hairy Peruvian, 323 hundred weight.	
African, 375 hundredweight.	
Indian, 1,181 hundredweight.	
Tall fescue seed (common), bagged, 98 030 hundredweight	$21.50 per 100 pounds, f. o. b. area of production, plus any paid in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954. Available Portland, Dallas, Chicago, and New Orleans PMA Commodity offices.
Tall fescue seed (certified), bagged, 48,830 hundredweight.	$29 per 100 pounds, f. o. b. area of production, plus any paid in freight as applicable basis current freight rate at time of sale Price will not be reduced during period ending June 30 1954 Available Portland PMA Commodity office.
Oats, bulk, 8,715 000 bushels.	At points of production, basis in store, the market price but not less than the applicable 1953 county loan rate, plus: (1) 11 cents per bushel if received by truck, or (2) 9 cents per bushel if received by rail or barge; at other points, the foregoing plus average paid in freight Examples of minimum prices per bushel: Chicago, No. 3 or better, ex rail or barge, $1 02; Minneapolis No 3 or better, ex rail or barge, $0.97.
Corn, bulk, 40,000,000 bushels [1]	At points of production, basis in store, the market price but not less than the applicable 1952 county loan rate for No 3 yellow plus: (1) 33 cents per bushel if received by truck, or (2) 29 cents per bushel if received by rail or barge; at other locations, the foregoing plus average paid in freight. Examples of minimum prices per bushel: Chicago, No. 3 yellow, $2.07; St. Louis, No 3, yellow, $2.02; Minneapolis, No. 3 yellow, $1.93; Omaha, No. 3 yellow, $2.02; Kansas City, No. 3 yellow, $2.05. For other classes, grades and quality, market differentials will apply.
Barley, bulk (for feed only), 150 000 bushels.	Less than carload lots in Minneapolis area to be sold for animal feed, basis in store, the market price for feed Available Minneapolis PMA Commodity office.
Rye, bulk (for feed only), 110 000 bushels.	Less than carlot lots in Minneapolis area to be sold for animal feed, basis in store the market price for feed. Available Minneapolis PMA Commodity office
Flaxseed, bulk (for crushing only), 220,000 bushels	Less than carlot lots in Minneapolis area, basis in store, at the market price Available Minneapolis PMA Commodity office.
Soybeans bulk (for crushing only), 3,410 000 bushels.	Market price, basis on truck, for No 2 or better Grade green or yellow soybeans. Market differentials will apply to other classes and grades This offer subject to withdrawal without notice. Available Minneapolis, Kansas City and Chicago PMA Commodity offices.
Cottonseed meal and pellets (bulk), meal, 100,000 short tons; pellets, 231 short tons	$57 per short ton, basis 41 percent meal, hydraulic and expeller process, f. o. b. Valley area $59 per short ton, basis 41 percent meal, hydraulic and expeller process, in Texas Oklahoma, Arizona-New Mexico and California areas. Market differentials apply to other qualities. Discount of $1.50 per short ton for solvent meal Information on quantities and locations can be secured at the New Orleans PMA Commodity office
Wool, shorn and pulled grease (including some scoured), 97,600,000 pounds	Sales of wool will be made at prices reflecting the higher of the market price or 103 percent of the price support appraisal value per pound plus an allowance for sales commission on wool, Boston basis, adjusted for net freight on wool stored outside the Boston storage area. Sales will be made ex-warehouse where the wool is stored Available Boston PMA Commodity office

The above prices will not be applicable to sales made in connection with drought relief programs carried out in disaster areas

(Sec. 407, 63 Stat. 1051)

Issued September 8, 1953.

M. B. BRASWELL,
Acting Executive Vice President,
Commodity Credit Corporation.

[F. R. Doc. 53-7926; Filed, Sept. 10, 1953; 8:56 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

A. P. MOLLER, MAERSK LINE ET AL.

NOTICE OF AGREEMENT FILED WITH THE BOARD FOR APPROVAL

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, as amended; 39 Stat. 733, 46 U. S. C. Section 814.

Agreement No. 7902 between the carriers comprising A. P. Moller, Maersk Line joint service and Pope & Talbot, Inc., and Pacific Argentine Brazil Line, Inc., covers the transportation of cargo under through bills of lading, from designated areas in the Far East to Puerto Rico, with transshipment at specified U. S. Pacific Coast ports. Upon approval this agreement will supersede and cancel Agreement No. 6987 between A. P. Moller (Maersk Line) and Pope & Talbot, Inc.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to this agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: September 8, 1953.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 53-7924; Filed, Sept. 10, 1953; 8:55 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 6125]

NIAGARA FALLS AIRPORT CASE

NOTICE OF POSTPONEMENT OF HEARING

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, that hearing in the above-entitled proceeding, now assigned to be held on November 3, 1953, at 10:00 a. m., e. s. t., in the City Council Chambers, City Hall, Niagara Falls, N. Y., is postponed and reassigned for hearing on December 1, 1953, same time and place, before Examiner F. Merritt Ruhlen.

Dated at Washington, D. C., September 8, 1953.

[SEAL] FRANCIS W BROWN,
Chief Examiner

[F. R. Doc. 53-7919; Filed, Sept. 10, 1953; 8:53 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 8650, 8742]

UNITED BROADCASTING CO. AND WJW INC.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of United Broadcasting Company, Cleveland, Ohio, Docket No. 8650, File No. BPCT-216; WJW Inc., Cleveland, Ohio, Docket No. 8742, File No. BPCT-250; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2d day of September 1953;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 19 in Cleveland, Ohio; and

It appearing, that the above-entitled applications are mutually exclusive in that operation by more than one applicant would result in mutually destructive interference; and

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-named applicants were advised by letters dated July 27, 1953, that their applications were mutually exclusive, that a hearing would be necessary, and that certain questions were raised as the result of deficiencies of a financial and technical nature in their applications; and

It further appearing, that upon due consideration of the above-entitled applications, the amendments filed thereto, and the replies to the above letters, the Commission finds that under section 309 (b) of the Communications Act of 1934, as amended, a hearing is mandatory that United Broadcasting Company is legally and financially qualified to construct, own and operate a television broadcast station and is technically so qualified except as to the matter referred to in issue "1" below; and that WJW Inc., is legally, financially and technically qualified to construct, own and operate a television broadcast station;

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding to commence at 10:00 a. m. on October 2, 1953, in Washington, D. C., upon the following issues;

1. To determine, in accordance with § 3.684 of the Commission's rules, the antenna height above average terrain proposed by United Broadcasting Company in its above-entitled application.

2. To determine on a comparative basis which of the operations proposed in the above-entitled applications would better serve the public interest, convenience and necessity in the light of the record made with respect to the significant differences between the applications as to:

(a) The background and experience of each of the above-named applicants having a bearing on its ability to own and operate the proposed television station.

(b) The proposals of each of the above-named applicants with respect to the management and operation of the proposed station.

(c) The programming service proposed in each of the above-entitled applications.

Released: September 4, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P MASSING,
Acting Secretary.

[F. R. Doc. 53-7915; Filed, Sept. 10, 1953; 8:52 a. m.]

[Docket Nos. 8819, 10676]

GEORGIA INSTITUTE OF TECHNOLOGY AND ROBERT W. ROUNSAVILLE

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Board of Regents, University System of Georgia, for and on behalf of Georgia Institute of Technology Atlanta, Georgia, Docket No. 8819, File No. BPCT-286; Robert W Rounsaville, Atlanta, Georgia, Docket No. 10676, File No. BPCT-1513; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2d day of September 1953;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 36 in Atlanta, Georgia;

It appearing, that the above-entitled applications are mutually exclusive in that operation by more than one applicant would result in mutually destructive interference; and

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-named applicants were advised by letters dated July 31, 1953, that their applications were mutually exclusive and that a hearing would be necessary; that Board of Regents, University System of Georgia, for and on behalf of Georgia Institute of Technology, was advised by the said letter that certain questions were raised as the result of deficiencies of a legal and financial nature in its application and that the question of whether its proposed antenna system and site would constitute a hazard to air navigation was unresolved; and that Robert W Rounsaville was advised by the said letter that certain questions were raised as a result of deficiencies of a financial nature in his application; and

It further appearing, that upon due consideration of the above-entitled applications, and the reply by Board of Regents, University System of Georgia, for and on behalf of Georgia Institute of Technology, to the above letter (no reply having been received from Robert W. Rounsaville) the Commission finds that under section 309 (b) of the Communications Act of 1934, as amended, a hearing is mandatory; that Board of Regents,

University System of Georgia, for and on behalf of Georgia Institute of Technology, is technically qualified to construct, own and operate a television broadcast station; and that Robert W. Rounsaville is legally and technically qualified to construct, own and operate a television broadcast station; and

It further appearing, that by a letter dated August 28, 1953, Board of Regents, University System of Georgia, for and on behalf of Georgia Institute of Technology, requested a thirty day extension of time within which to reply to the Commission's letter of July 31, 1953; and that the reasons set forth in support of its request do not warrant the granting of said request;

It is ordered, That, the request of Board of Regents, University System of Georgia, for and on behalf of Georgia Institute of Technology, for an extension of time to reply is denied;

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding to commence at 10:00 a. m. on October 2, 1953, in Washington, D. C., upon the following issues:

1. To determine whether the above-named applicants are financially qualified to construct, own and operate the proposed television broadcast stations.

2. To determine whether Board of Regents, University System of Georgia, for and on behalf of Georgia Institute of Technology is authorized to construct, own and operate a television broadcast station in Atlanta, Georgia.

3. To determine on a comparative basis which of the operations proposed in the above-entitled applications would better serve the public interest, convenience and necessity in the light of the record made with respect to the significant differences between the applications as to:

(a) The background and experience of each of the above-named applicants having a bearing on its ability to own and operate the proposed television station.

(b) The proposals of each of the above-named applicants with respect to the management and operation of the proposed station.

(c) The programming service proposed in each of the above-entitled applications.

Released: September 4, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 53-7916; Filed, Sept. 10, 1953; 8:52 a. m.]

[Docket Nos. 10672, 10673]

PERKINS BROTHERS CO. AND KCOM BROADCASTING CO.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Perkins Brothers Company, Sioux City, Iowa, Docket No. 10672, File No. BPCT-688; KCOM Broadcasting Co., Sioux City, Iowa, Docket No. 10673, File No. BPCT-864; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2d day of September 1953;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 4 in Sioux City, Iowa, and

It appearing, that the above-entitled applications are mutually exclusive in that operation by more than one applicant would result in mutually destructive interference; and

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-named applicants were advised by letters dated September 25, 1952, and July 30, 1953, that their applications were mutually exclusive and that a hearing would be necessary; that Perkins Brothers Company was advised by the said letters that certain questions were raised as a result of deficiencies of a legal and technical nature in its application; and that KCOM Broadcasting Co., was advised by the letter of July 30, 1953, that certain questions were raised as a result of deficiencies of a financial nature in its application; and

It further appearing, that upon due consideration of the above-entitled applications, the amendments filed thereto, and the replies to the above letters, the Commission finds that under section 309 (b) of the Communications Act of 1934, as amended, a hearing is mandatory; that Perkins Brothers Company is legally and financially qualified to construct, own and operate a television broadcast station, and is technically so qualified except as to the matters referred to in issues "1" and "2" below; that KCOM Broadcasting Co., is legally, financially and technically qualified to construct, own and operate a television broadcast station;

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding to commence at 10:00 a. m. on October 2, 1953, in Washington, D. C., upon the following issues:

1. To determine the precise geographic coordinates of the television antenna site proposed by Perkins Brothers Company.

2. To determine the transmitter output and effective radiated power, as affected by diplexer loss, of the operation proposed by Perkins Brothers Company, with particular reference to the ratio of aural to visual effective radiated power required by § 3.682 (a) (15) of the Commission's rules.

3. To determine on a comparative basis which of the operations proposed in the above-entitled applications would better serve the public interest, convenience and necessity in the light of the record made with respect to the significant differences between the applications as to:

(a) The background and experience of each of the above-named applicants having a bearing on its ability to own and operate the proposed television station.

(b) The proposals of each of the above-named applicants with respect to the management and operation of the proposed station.

(c) The programming service proposed in each of the above-entitled applications.

Released: September 4, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 53-7917; Filed, Sept. 10, 1953; 8:52 a. m.]

[Docket Nos. 10674, 10675]

GORDON BROADCASTING CO. AND TRI-CITY BROADCASTING CO.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Gordon Broadcasting Company, Cincinnati, Ohio, Docket No. 10674, File No. BPCT-1722; Tri-City Broadcasting Company, Newport, Kentucky, Docket No. 10675, File No. BPCT-1737; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2d day of September 1953;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 74 assigned to Cincinnati, Ohio; and

It appearing, that the above-entitled applications are mutually exclusive in that operation by more than one applicant would result in mutually destructive interference; and

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-named applicants were advised by letters dated July 27, 1953, that their applications were mutually exclusive and that a hearing would be necessary; that Tri-City Broadcasting Company was advised by the said letter that certain questions were raised as the result of deficiencies of a financial nature in its application and that the question of whether its proposed antenna system and site would constitute a hazard to air navigation was unresolved; and

It further appearing, that upon due consideration of the above-entitled applications (no replies having been received to the above letters) the Commission finds that under section 309 (b) of the Communications Act of 1934, as amended, a hearing is mandatory; that Gordon Broadcasting Company is legally, financially and technically qualified to construct, own and operate a television broadcast station; and that Tri-City Broadcasting Company is legally and technically qualified to construct, own and operate a television broadcast station;

It is ordered, That, pursuant to section 309 (b) of the Communications Act

of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding to commence at 10:00 a. m. on October 2, 1953, in Washington, D. C., upon the following issues:

1. To determine whether Tri-City Broadcasting Company is financially qualified to construct, own and operate its proposed television broadcast station.

2. To determine on a comparative basis which of the operations proposed in the above-entitled applications would better serve the public interest, convenience and necessity in the light of the record made with respect to the significant differences between the applications as to:

(a) The background and experience of each of the above-named applicants having a bearing on its ability to own and operate the proposed television station.

(b) The proposals of each of the above-named applicants with respect to the management and operation of the proposed station.

(c) The programing service proposed in each of the above-entitled applications.

Released: September 4, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 53-7918; Filed, Sept. 10, 1953; 8:53 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-2234]

NORTHERN INDIANA FUEL AND LIGHT CO.

NOTICE OF APPLICATION

SEPTEMBER 4, 1953.

Take notice that on August 27, 1953, Northern Indiana Fuel and Light Company (Applicant) an Indiana corporation with its principal office in Auburn, Indiana, filed an application with the Federal Power Commission, pursuant to section 7 (c) of the Natural Gas Act, for a certificate of public convenience and necessity authorizing the construction and operation of approximately 35 miles of 10¾-inch pipeline running from Panhandle Eastern Pipe Line Company's (Panhandle) existing pipeline at Panhandle's Edgerton compressor station near Edgerton, Indiana, to Applicant's distribution system in or near Auburn, Indiana, for the purpose of serving natural gas to the communities of Auburn, Garrett, Altona, Avilla, Kendallville, Woodburn, Harlan, Grabill, Leo, Spencerville, St. Joe, and Waterloo, all in the State of Indiana.

In addition, Applicant, pursuant to section 7 (a) of the Natural Gas Act, requests the Commission to direct Panhandle to establish physical connection of its facilities at the location described above, with the pipeline to be constructed by Applicant and to sell natural gas to Applicant.

Applicant estimates that construction of the proposed pipeline will cost approximately $800,000, which Applicant states will be financed by the issuance of securities, which issuance was authorized by order dated May 28, 1953, of the Public Service Commission of Indiana (Exhibit X to the application)

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 23d day of September 1953. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 53-7899; Filed, Sept. 10, 1953; 8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3237]

ADOLF GOBEL, INC.

ORDER SUMMARILY SUSPENDING TRADING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 4th day of September A. D. 1953.

The Commission by order adopted March 13, 1953, pursuant to section 19 (a) (4) of the Securities Exchange Act of 1934, having summarily suspended trading in the $1 par value common stock of Adolf Gobel, Inc. on the American Stock Exchange for a period of ten days from that date, and subsequently having entered additional orders further suspending such trading in order to prevent fraudulent, deceptive or manipulative acts or practices; and

The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on that Exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion that such suspension is necessary in order to prevent fraudulent, deceptive or manipulative acts or practices, with the result that it will be unlawful under section 15 (c) (2) of the Securities Exchange Act of 1934 and the Commission's Rule X-15C2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of, such security otherwise than on a national securities exchange.

It is ordered, Pursuant to section 19 (a) (4) of the Securities Exchange Act of 1934, that trading in said securities on the American Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, effective at the opening of the trading session on said Exchange on September 8, 1953, for a period of ten days.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53-7903; Filed, Sept. 10, 1953; 8:47 a. m.]

[File Nos. 7-1568, 7-1569]

ARKANSAS LOUISIANA GAS CO. AND ARKANSAS FUEL OIL CO.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

In the matter of application by the Philadelphia-Baltimore Stock Exchange for unlisted trading privileges in: Arkansas Louisiana Gas Company Common Stock, $5 Par Value, 7-1568; Arkansas Fuel Oil Corporation Common Stock, $5 Par Value, 7-1569.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 3d day of September A. D. 1953.

The Philadelphia-Baltimore Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, $5 Par Value, of Arkansas Louisiana Gas Company, listed and registered on the American Stock Exchange; and the Common Stock, $5 Par Palue, of Arkansas Fuel Oil Corporation, listed and registered on the American Stock Exchange and on the Pittsburgh Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to September 29, 1953, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53-7902; Filed, Sept. 10, 1953; 8:47 a. m.]

[File No. 54-127]

ELECTRIC BOND AND SHARE CO.

ORDER GRANTING RECITALS

SEPTEMBER 4, 1953.

The Commission having heretofore approved a plan filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("act") by Electric Bond and Share Company ("Bond and Share") a registered holding company, providing, among other things, for the sale by Bond and Share of its holdings of the common stock of Portland Gas & Coke Company ("Portland"), and

Bond and Share having notified the Commission pursuant to Rule U-44 (c) of the rules and regulations under the act of its intention to sell to Portland its holdings of common stock of Portland, namely, 4,256 shares, at a price of $18.20 per share, which price represents the average of the bid and asked quotes for the Portland stock in the over-the-counter market on September 2, 1953. There are no fees or expenses involved in connection with such sale.

The Commission having notified Bond and Share that no declaration need be filed with respect to this matter; and

Bond and Share having requested that the Commission enter an order containing the recitals required by section 1808 (f) and Supplement R of the Internal Revenue Code, and the Commission deeming it appropriate that such request be granted:

It is ordered and recited, That the sale and transfer by Electric Bond and Share Company of 4,256 shares of common stock of Portland Gas & Coke Company to Portland Gas & Coke Company is necessary or appropriate to the integration of or simplification of the holding company system of which Electric Bond and Share Company is a member and is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, all in accordance with the meaning and requirements of the Internal Revenue Code and section 1808 (f) and Supplement R thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-7904; Filed, Sept. 10, 1953; 8:48 a. m.]

[File No. 70-3118]

NEW ENGLAND GAS AND ELECTRIC ASSN. AND WORCESTER GAS LIGHT CO.

ORDER AUTHORIZING ISSUANCE AND SALE OF PROMISSORY NOTES

SEPTEMBER 3, 1953.

New England Gas and Electric Association ("Negea") a registered holding company and its public utility subsidiary, Worcester Gas Light Company ("Worcester") having filed a joint application-declaration pursuant to sections 6 (a) 6 (b) 7 and 12 (f) of the public Utility Holding Company Act of 1935 ("act") and rules thereunder regarding, among other things, (a) the sale by Negea of shares of its common stock under pre-emptive rights to its shareholders and (b) the issuance and sale by Negea to one or more banks of unsecured promissory notes maturing two years from the date of issue which will be no later than November 2, 1953, such notes to bear interest at the rate of 3¾ percent per annum; and

Negea having requested the Commission to enter an order not later than September 9, 1953, with respect to the proposed issuance and sale of the two-year promissory notes in the amount of $2,000,000; and

Notice of the filing of the joint application-declaration having been given in the form and manner prescribed by Rule U-23, promulgated pursuant to the act, and the Commission not having received a request for a hearing and not having ordered a hearing thereon; and

The Commission finding with respect to that part of the joint application-declaration relating to the proposed issuance of unsecured promissory notes to banks that the standards of section 7 of the act are satisfied and the Commission deeming it appropriate to enter an order permitting said joint application-declaration to become effective insofar as it relates to the proposed issuance of unsecured promissory notes;

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that the joint application-declaration insofar as it relates to the issuance and sale of unsecured promissory notes in the amount of $2,000,000, be, and the same hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-7900; Filed, Sept. 10, 1953; 8:47 a. m.]

[File No. 70-3131]

INDIANA & MICHIGAN ELECTRIC CO.

NOTICE OF FILING REGARDING SALE OF BONDS AT COMPETITIVE BIDDING AND SHARES OF PREFERRED STOCK THROUGH NEGOTIATION

SEPTEMBER 3, 1953.

Notice is hereby given that an application has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("the act") by Indiana & Michigan Electric Company ("Indiana") a subsidiary of American Gas and Electric Company ("American Gas") a registered holding company. The applicant has designated section 6 (b) of the act and Rule U-50 thereunder as applicable to the proposed transactions which are summarized as follows:

Indiana proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, $15,000,000 aggregate principal amount of its First Mortgage Bonds, __ Percent Series due 1983. The coupon rate (which shall be expressed in a multiple of ⅛ of 1 percent and the price to be paid to Indiana which shall be not less than 100 percent and shall not exceed 102¾ percent of the principal amount, will be determined by competitive bidding. The bonds are to be issued under a Supplemental Indenture to be entered into between Indiana and Irving Trust Company and James A. Austin (Successor Individual Trustee), as Trustees, to be dated as of September 1, 1953. It is proposed that Indiana publicly invite bids for the bonds on or about September 22, 1953. In connection therewith, Indiana has requested that the ten day bidding period provided by this Commission's Rule U-50 (b) be shortened to seven days.

Indiana also proposes to issue and sell not to exceed 70,000 shares of ____ percent Cumulative Preferred Stock of the par value of $100 per share. Such preferred stock is to be sold to institutional investors pursuant to purchase agreements to be negotiated by The First Boston Corporation and Union Securities Corporation as the agent of Indiana. Indiana considers Rule U-50 applicable to the proposed issue and sale of preferred stock but has requested an exception from the competitive bidding requirements of said rule.

As an incident to the proposed issue and sale of preferred stock, Indiana has agreed to the imposition of a condition in the Commission's order to be issued herein relating to a modification of the definition of "common stock equity" as now reflected in certain Charter provisions pertaining to the issuance and sale of shares of preferred stock. This condition will require the deduction from common stock equity of excesses over original cost of property and certain deferred debits in computing capitalization ratios for the purpose of determining the proportion of earnings which may be distributed as dividends on its common stock.

The proceeds from the proposed sale of First Mortgage Bonds and preferred stock are to be applied to the payment, without premium, of Indiana's bank notes, amounting to $11,500,000, heretofore issued for construction purposes, with the balance to be added to Indiana's treasury funds and applied to extensions, additions and improvements to its properties.

The estimated expenses submitted in respect of filing fees, taxes, printing, engraving costs and trustee's charges aggregate $77,299. Other expenses such as legal fees, accountants' charges and miscellaneous charges are to be supplied by amendment.

According to the applicants, the proposed issue and sale of bonds and preferred stock are subject to the jurisdiction of the Public Service Commission of Indiana and the Michigan Public Service Commission. Copies of the orders of these State Commissions are to be supplied by amendment.

It is requested that the Commission's initial order entered herein be issued on or before September 21, 1953, and become effective upon the issuance thereof.

Notice is further given that any interested person may, not later than September 21, 1953, at 1:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reason or reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date, the application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as

provided in Rules U-20 and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-7901; Filed, Sept. 10, 1953; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 28424]

GRAIN FROM KANSAS TO ARKANSAS AND MEMPHIS, TENN.

APPLICATION FOR RELIEF

SEPTEMBER 8, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F C. Kratzmeir, Agent, for the Chicago, Rock Island and Pacific Railroad Company.

Commodities involved: Grain, grain products, and related articles, carloads.

From: Points in Kansas.

To: Points in Arkansas and Memphis, Tenn.

Grounds for relief: Competition with rail carriers, circuitous routes, to maintain grouping.

Schedules filed containing proposed rates: F C. Kratzmeir, Agent, tariff I. C. C. No. 3939, supp. 32.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further, or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Acting Secretary.*

[F. R. Doc. 53-7907; Filed, Sept. 10, 1953; 8:48 a. m.]

[4th Sec. Application 28425]

BREWERS RICE, FROM LOUISIANA TO MISSOURI AND EAST ST. LOUIS, ILL.

APPLICATION FOR RELIEF

SEPTEMBER 8, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by W. P. Emerson, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Brewers rice and rice screenings, carloads.

From: Baton Rouge, New Orleans, Gramercy, Hardin, Reserve, and St. Francisville, La.

To: Points in Missouri and East St. Louis, Ill.

Grounds for relief: Competition with rail carriers, circuitous routes.

Schedules filed containing proposed rates; W P. Emerson, Jr., Agent, tariff I. C. C. No. 386, supp. 39.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the General Rules of Practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Acting Secretary.*

[F. R. Doc. 53-7908; Filed, Sept. 10, 1953; 8:48 a. m.]

[4th Sec. Application 28426]

LIME FROM TEXAS TO MILWAUKEE, WIS.

APPLICATION FOR RELIEF

SEPTEMBER 8, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Lime, carloads.

From: Points in Texas.

To: Milwaukee, Wis.

Grounds for relief: Competition with rail carriers, circuitous routes, additional routes.

Schedules filed containing proposed rates: F C. Kratzmeir, Agent, I. C. C. No. 3967, supp. 256.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Acting Secretary.*

[F. R. Doc. 53-7909; Filed, Sept. 10, 1953; 8:48 a. m.]

[4th Sec. Application 28427]

SUPERPHOSPHATE FROM CHICAGO HEIGHTS AND JOLIET, ILL., TO GRINNELL, IOWA

APPLICATION FOR RELIEF

SEPTEMBER 8, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by W. J. Prueter, Agent, for carriers parties to schedule listed below.

Commodities involved: Superphosphate, other than ammoniated, carloads.

From: Chicago Heights and Joliet, Ill.

To: Grinnell, Iowa.

Grounds for relief: Competition with rail carriers, circuitous routes.

Schedules filed containing proposed rates: W J. Prueter, Agent, tariff I. C. C. No. A-3790, supp. 81.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Acting Secretary.*

[F. R. Doc. 53-7910; Filed, Sept. 10, 1953; 8:49 a. m.]